

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
AMARILLO DIVISION**

STATE OF TEXAS,

Plaintiff,

v.

ALEJANDRO MAYORKAS,
in his official capacity as
Secretary of Homeland Security, *et al.*,

Defendants.

Civil Action No. 2:22-cv-00094-Z

JOINT MOTION TO EXTEND SCHEDULE

The parties jointly request that the Court extend the deadlines to complete jurisdictional discovery and for the Parties to submit updated proposals for additional briefing and proceedings by 14 days, to allow the Parties time to fully respond to the jurisdictional discovery that has already been served.

On May 31, 2022, the Court set the following deadlines for this case:

- Defendants to produce the administrative record on or before June 3, 2022;
- Parties to send all jurisdictional discovery requests on or before June 15, 2022;
- Parties to complete all jurisdictional discovery on or before July 1, 2022;
- Parties to submit updated proposals for additional briefing and proceedings on or before July 6, 2022.

May 31 Order, ECF No. 60.

Defendants produced the administrative record on June 3, 2022. And the Parties served jurisdictional discovery by the June 15, 2022 deadline. On June 7, 2022, Defendants served Texas with a deposition notice under Rule 30(b)(6). On June 10, 2022, Defendants served Texas with written discovery requests. On June 15, 2022, Texas served Defendants with written discovery requests.

The Parties now jointly request a short 14-day extension to allow the Parties to complete the discovery that has already been served. The Parties are working on collecting documents and preparing responses, but would benefit from additional time to ensure that they can provide thorough and complete responses. Texas also has not yet been able to identify deponent(s) and proposed dates in response to the June 7 deposition notice, and the Parties will need additional time to schedule and complete that deposition or depositions after Texas identifies the proper deponents and can provide their availability.¹

If the Court grants this short extension, the remaining deadlines from the Court's May 31 order will be:

- Parties to complete all jurisdictional discovery on or before July 15, 2022;
- Parties to submit updated proposals for additional briefing and proceedings on or before July 20, 2022.

The Parties jointly request that the Court grant this short extension.

¹ The Parties are hopeful that they can identify agreed-upon dates to complete the depositions before July 15, 2022. However, given the press of other business, including preexisting deadlines and scheduled depositions arising from expedited discovery taking place in other matters during the same time period, if the deponents have limited availability it may be difficult to do so. The Parties will confer once Texas identifies deponents and their availability to try to work out a schedule for completing this discovery prior to July 15, and will advise the Court if they are unable to do so.

Dated: June 24, 2022

Respectfully submitted,

BRIAN M. BOYNTON
Principal Deputy Assistant Attorney General

WILLIAM C. PEACHEY
Director
Office of Immigration Litigation
District Court Section

EREZ REUVENI
Assistant Director

/s/ Brian C. Ward
BRIAN C. WARD
Senior Litigation Counsel
U.S. Department of Justice
Civil Division
Office of Immigration Litigation
District Court Section
P.O. Box 868, Ben Franklin Station
Washington, DC 20044
Tel.: (202) 616-9121
brian.c.ward@usdoj.gov

Counsel for Defendants

KEN PAXTON
Attorney General of Texas

BRENT WEBSTER
First Assistant Attorney General

OFFICE OF THE ATTORNEY GENERAL
P.O. Box 12548
Austin, Texas 78711-2548
(512) 936-1700

AARON F. REITZ
Lead Counsel
Deputy Attorney General for Legal Strategy
Texas Bar No. 24105704
aaron.reitz@oag.texas.gov

LEIF A. OLSON
Special Counsel
Texas Bar No. 24032801
leif.olson@oag.texas.gov

GENE P. HAMILTON
America First Legal Foundation
300 Independence Avenue SE
Washington, DC 20003
(202) 964-3721
gene.hamilton@aflegal.org

Counsel for Plaintiff

CERTIFICATE OF CONFERENCE

I hereby certify that on June 24, 2022, I conferred with counsel for Plaintiff about the relief requested in this motion. Plaintiff joins this request.

/s/ Brian C. Ward
BRIAN C. WARD
U.S. Department of Justice

CERTIFICATE OF SERVICE

I hereby certify that on June 24, 2022, I electronically filed this motion with the Clerk of the Court for the United States District Court for the Northern District of Texas by using the CM/ECF system. Counsel in the case are registered CM/ECF users and service will be accomplished by the CM/ECF system.

/s/ Brian C. Ward
BRIAN C. WARD
U.S. Department of Justice